

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

David C. Curtis

Serial No.

: 10/761,648

Filed on

: January 21, 2004

For

: Marinating Machine

Group Art

: 1723

Examiner

: David L. Sorkin

Attorney Docket No.

: M314



DECLARATION

The undersigned, David C. Curtis, states that he is the inventor in patent application serial number 10/761,648 filed January 21, 2004.

That a marinating machine has a rotating drum that is turned by wheels riding on a pair of parallel shafts.

That existing marinating machines provide a drive assembly for driving both shafts.

That as disclosed in his above mentioned patent application, the applicant discovered that the drum of a marinating machine can be rotated by applying rotational power to a single shaft where the drive shafts are spaced apart at an angle in excess of one hundred degrees and where rotational power is applied to the shaft that applies an upwardly directed vector of force to the wall of the drum against which the drive wheel abuts.

That he believes the reason for applying power to the shaft that rotates the surface of the drum in an upwardly direction is that the paddles within the container cause the food products to be moved within the container as the drum rotates. The paddles pull the food upwardly along one side of the container such that the weight of the rotating container is not evenly balanced between the two shafts upon which the drum rests. That the paddles cause the food material in the container to be positioned over the shaft on the side where the wall of the container is rising and it is therefore preferable to apply rotational power to that shaft.

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David C. Curtis

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FROM : ROBERT L. MARSH, ATTORNEY

FAX NO. : 630 681 3464

Dec. 24 2005 10:56AM P3

That he acknowledges that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

David C. Curtis

12/24/05

Date